

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Vincent C. Gray, at the request of the Mayor, introduced the following bill,
which was referred to the Committee on _____.

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to modify the percentage of the subscription charge that the District government contributes to employee health benefit plans; to amend the Commercial Revitalization Segregated Fund Amendment Act of 2010 to modify the amounts of allocated funding; to amend the Adult Job Training Fund Act of 2010 to modify the amounts of funding allocated by the act to amend the Neighborhood Investment Act of 2004 to establish a spending plan for fiscal year 2011; to amend the Within-Grade Salary Increases, Cost-of-Living Adjustments, and Salary and Benefits Schedules Act of 2010 to remove the exception for the Fire and Emergency Medical Services Department from the freeze on within-grade salary increase and cost of living adjustment; to amend the Delivery of Health Care to Inmates Act of 2010 to allow the full healthcare continuum delivery system for inmates of the Departments of Corrections to be provided by more than one entity; Long title: to amend the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998 to modify the per student foundation level for fiscal year 2010 and to provide for a supplemental allocation for extended school days; to amend the District of Columbia School Reform Act of 1995 to authorize supplemental school funding through certain grants and special payments; and to amend the State Education Office Establishment Act of 2000 to authorize the Office of the State Superintendent for Education to issue grants in support of special education services; to amend the Healthy Schools Act of 2010 to revive the subject-to-appropriations provision; to amend the Grandparent Caregivers Pilot Program Establishment Act of 2005 to provide greater flexibility in the establishment of the rate of the grandparent caregivers subsidy; to amend chapter 61 of title 29 of the District of Columbia Municipal Regulations to provide greater flexibility in the establishment of the rate of the long-term permanent guardianship subsidy; to amend the Hospital Assessment Act of 2010

1 to modify the amount of the assessment imposed on hospitals for each hospital
2 bed; to amend the District of Columbia Public Assistance Act of 1982 and title 29
3 of the District of Columbia Municipal Regulations to reduce the maximum benefit
4 for an individual receiving Temporary Assistance to Needy Families (“TANF”)
5 benefits in excess of 60 months to 80% of the maximum TANF benefit; to amend
6 the District of Columbia Health Professional Recruitment Program Act of 2005
7 by repealing references to federal tax implications, modifying the default and
8 breach of contract terms, and modifying the suspension, waiver, and terminations
9 procedures; to amend chapter 24 of title 18 of the District of Columbia Municipal
10 Regulations to modify the fee a residential permit parking sticker; to modify the
11 amount of funding dedicated to the streetscape survival program; amend the
12 Clean and Affordable Energy Amendment Act of 2008 to modify the funding
13 amounts allocated from the Sustainable Energy Trust Fund and the Energy
14 Assistance Trust Fund; to amend chapter 1 of title 47 of the District of Columbia
15 Official Code to authorize the collection and payment of debts through the
16 United States Treasury Offset Program; to amend the Kenilworth Avenue
17 Northeast Redevelopment Project Real Property Limited Tax Abatement
18 Assistance Act of 2010 to repeal the subject-to-appropriations provision; to
19 amend the 2323 Pennsylvania Avenue Southeast Redevelopment Project Real
20 Property Tax Abatement Assistance Act of 2010 to repeal the subject-to-
21 appropriations provision; to amend chapter 46 of title 47 of the District of
22 Columbia Official Code to provide an abatement of real property taxes for 4427
23 Hayes Street, N.E., located in Ward 7; to amend the Renovation Penalty
24 Abatement Act of 2010 to repeal the subject-to-appropriations provision; to
25 transfer funds from certain special purpose and dedicated revenue accounts to
26 unrestricted balance of the General Fund; and to modify the funding allocations
27 for certain capital projects.

28
29 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

30 That this act may be cited as the “Fiscal Year 2011 Supplemental Budget Support Act of
31 2010”.

32 **TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

33 **SUBTITLE A. HEALTH BENEFIT PLAN CONTRIBUTION**

34 Sec. 101. Short title.

35 This subtitle may be cited as the “Health Benefit Plan District Contribution
36 Amendment Act of 2010”.

1 Sec. 102. Section 2109(a) of the District of Columbia Government
2 Comprehensive Merit Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27;
3 D.C. Official Code 1-621.09(a)), is amended as follows:

4 (a) Strike the phrase “an amount equal to 75%” and insert the phrase “an amount
5 equal to 72%” in its place.

6 (b) Strike the phrase “exceed 75%” and insert the phrase “exceed 72%” in its
7 place.

8 Sec. 103. Applicability.

9 This subtitle shall apply as of January 1, 2011.

10 **TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

11 **SUBTITLE A. COMMERCIAL REVITALIZATION FUND**

12 Sec. 201. Short title.

13 This subtitle may be cited as the “Commercial Revitalization Segregated Fund
14 Second Amendment Act of 2010”.

15 Sec. 202. Section 2243 of the of the Commercial Revitalization Segregated Fund
16 Amendment Act of 2010, effective September 24, 2010 (D.C. Law 18-223; 57 DCR
17 6242), is amended as follows:

18 (a) Subsection (a) is amended to read as follows:

19 “(a) For fiscal year 2011, an amount of \$440,000 from the Commercial
20 Revitalization Assistance Fund shall be disbursed to fund the continued operation of the
21 Main Streets program and the continued implementation of Main Street services.”.

22 (b) Subsection (c) is repealed.

23 Sec. 203. Applicability.

1 This subtitle shall apply as of October 1, 2010.

2 **SUBTITLE B. ADULT JOB TRAINING FUND ACT**

3 Sec. 211. Short title.

4 This subtitle may be cited as the “Adult Job Training Fund Amendment Act of
5 2010”.

6 Sec. 212. Section 2262 of the Adult Job Training Fund Act of 2010, effective
7 September 24, 2010 (D.C. Law 18-223; 57 DCR 6246), is amended as follows:

8 (a) Subsection (a) is amended to read as follows:

9 “(a) Of the fiscal year 2010 year-end local fund balance within the Department
10 of Employment Services, \$4.6 million shall remain available until expended for the
11 purposes of funding industry/sector specific adult job training and the general operations
12 of the Department of Employment Services.”.

13 (b) Subsection (b) is amended by striking the phrase “Of the \$4.6 million, at least
14 \$2.225 million” and inserting the phrase “Of the \$2.4 million, at least \$1.1 million” in its
15 place.

16 Sec. 213. Applicability.

17 This subtitle shall apply as of October 1, 2010.

18 **SUBTITLE C. NEIGHBORHOOD INVESTMENT FUND**

19 Sec. 221. Short title.

20 This subtitle may be cited as the “Neighborhood Investment Fund Implementation
21 Amendment Act of 2010”.

1 Sec. 222. Section 2 of the Neighborhood Investment Act of 2004, effective
2 March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071), is amended by adding
3 a new subsection (k) to read as follows:

4 “(k) The Neighborhood Investment Fund dollars under the budget authority of the
5 Office of the Deputy Mayor for Planning and Economic Development in fiscal year 2011
6 shall be allocated on a one time basis as follows:

7 “(1) An amount of \$4,587,004 shall be available to support grants to not-
8 for-profit organizations for projects and programs that fulfill the goals of this act. Project
9 and program types that may be funded under this paragraph include, but are not limited
10 to, vocational training and job placement for youth and adults, senior- and youth-oriented
11 programming, affordable housing, senior housing, small business technical assistance,
12 and predevelopment and project financing for the construction and rehabilitation of
13 affordable housing, mixed use, and community-based facility projects.

14 “(2) An amount of \$380,118 shall be available to support personnel and
15 administrative costs associated with the implementation of this act, including salary,
16 fringe benefits, marketing, community outreach, and supplies.

17 “(3) An amount of \$1,100,000 shall be deposited in the Career Technical
18 Training Fund and used to fund costs associated with the 24-hour vocational education
19 programs at Phelps Architecture, Construction, and Engineering High School, the
20 Academy for Construction and Design at Cardozo Senior High School, and the
21 Hospitality Public Charter School at Roosevelt High School.

22 “(4) An amount of \$2,000,000 shall be available to provide grants and
23 other funding in support of the New Communities Human Capital program, including

1 intensive case management, workforce development focused on education, training, and
2 employment for adults and youth, financial literacy, health services, and increased public
3 safety.”.

4 Sec. 223. Applicability.

5 This subtitle shall apply as of October 1, 2010.

6 **TITLE III. PUBLIC SAFETY AND JUSTICE**

7 **SUBTITLE A. FEMS STEP FREEZE AND COST OF LIVING**

8 **ADJUSTMENT**

9 Sec. 301. Short title.

10 This subtitle may be cited as the “Fire and Emergency Medical Services
11 Department Step Freeze and Cost of Living Adjustment Amendment Act of 2010”.

12 Sec. 302. Section 1026 of the Within-Grade Salary Increases, Cost-of-Living
13 Adjustments, and Salary and Benefits Schedules Act of 2010, effective September 24,
14 2010 (D.C. Law 18-223; 57 DCR 6252), is amended to read as follows:

15 “Sec. 1026. Application to the Metropolitan Police Department.

16 “Section 1023 shall not apply to employees of the Metropolitan Police
17 Department.”.

18 Sec. 303. Applicability.

19 This subtitle shall apply as of January 1, 2011.

20 **SUBTITLE B. DELIVERY OF HEALTH CARE TO INMATES**

21 Sec. 311. Short title.

22 This subtitle may be cited as the “Delivery of Health Care to Inmates Amendment
23 Act of 2010”.

Sec. 312. Section 3042 of the Delivery of Health Care to Inmates Act of 2010, effective September 24, 2010 (D.C. Law 18-223; 57 DCR 6333), is amended by striking the phrase “a delivery system in which one entity is responsible for managing Department of Corrections inmates through the full health care continuum” and inserting the phrase “a full healthcare continuum delivery system for Department of Corrections inmates” in its place.

TITLE IV. PUBLIC EDUCATION

SUBTITLE A. SCHOOL FUNDING

Sec. 401. Short title.

This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools Amendment Act of 2010”.

Sec. 402. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase “\$8,945 per student for fiscal year 2011” and inserting the phrase “\$8,770 per student for fiscal year 2011” in its place.

(b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following chart in its place:

Grade Level	Weighting	Per Pupil Allocation in FY 2011
Pre-School	1.34	\$11,752
Pre-Kindergarten	1.30	\$11,401
Kindergarten	1.30	\$11,401

Grades 1-3	1.00	\$8,770
Grades 4-5	1.00	\$8,770
Ungraded elementary school	1.00	\$8,770
Grades 6-8	1.03	\$9,033
Ungraded middle school/junior high school	1.03	\$9,033
Grades 9-12	1.16	\$10,173
Ungraded senior high school	1.16	\$10,173
Alternative program	1.17	\$10,261
Special education school	1.17	\$10,261
Adult	0.75	\$6,578

(b) Section 106 (D.C. Official Code § 38-2905) is as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (2) is amended by striking the word “or” at the end.

(B) Paragraph (3) is amended by striking the period at the end and inserting the phrase “; and” in its place.

(C) A new paragraph (4) is added to read as follows:

“(4) Extended school days.”.

(2) Subsection (c) is amended to read as follows:

“(c) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2011
“LEP/NEP	Limited and non-English proficient students	0.45	\$3,947
“Summer	An accelerated instructional program in the summer for students who do not meet literacy	0.17	\$1,491

	standards pursuant to promotion policies of the District of Columbia Public Schools and public charter schools		
“Extended school day	Extended learning time beyond the regular school day	0.1	n/a

1 “Special Education Add-ons:

Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2011
“Level 1: Special Education	Eight hours or less per week of specialized services	0.52	\$4,560
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	0.79	\$6,928
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.56	\$13,681
“Level 4: Special Education	More than 24 hours per week which may include instruction in a self contained (dedicated) special education school other than residential placement	2.83	\$24,819
“Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.70	\$14,909

2 “Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2011
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“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.374	\$3,280
“Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.360	\$11,927
“Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.941	\$25,793
“Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non-English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.924	\$25,643
“LEP/NEP - Residential	Additional funding to support the after-hours Limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with	0.68	\$5,964

	room and board in a residential setting		
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- 1 “Special Education Add-ons for Students with Extended School Year (“ESY”)
- 2 Indicated in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2011
“Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.064	\$561
“Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.231	\$2,026
“Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.500	\$4,385
“Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.497	\$4,359”.

- 3 (2) A new subsection (g) is added to read as follows:
- 4 “(g) The supplemental allocation for the extended school day shall be subject to
- 5 the inclusion of its fiscal effect in an approved budget.”.

1 Sec. 403. Section 2403(a)(2)(A) of the District of Columbia School Reform Act
2 of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-
3 1804.03(a)(2)(A)), is amended as follows:

4 (a) Sub-subparagraph (i) is amended by striking the phrase “sub-subparagraph
5 (ii)” and inserting the phrase “sub-subparagraphs (ii) and (iii)” in its place.

6 (b) A new sub-subparagraph (iii) is added to read as follows:

7 “(iii) Funds received from the Education Jobs Fund,
8 established by section 101 of An Act To modernize the air traffic control system,
9 improve the safety, reliability, and availability of transportation by air in the United
10 States, provide for modernization of the air traffic control system, reauthorize the Federal
11 Aviation Administration, and for other purposes, approved August 10, 2010 (Pub. L. 111-
12 226; 124 Stat. 2389) (“Act”), shall be disbursed to public charter schools at such times as
13 are consistent with the requirements of the Act, its implementing regulations, and other
14 applicable federal regulations.”.

15 Sec. 404. Section 2401(b)(3)(D) of the District of Columbia School Reform Act
16 of 1995, approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code § 38-
17 1804.01(b)(3)) is amended by adding a new subparagraph (E) to read as follows:

18 “(E) Notwithstanding paragraph (2) of this subsection,
19 supplemental funding in addition to the supplemental allocations authorized by section
20 106 may be provided to local education agencies (“LEAs”) for special education services,
21 including programs that increase the capacity of the LEA to provide special education
22 services.”.

1 Sec. 405. Section 3(b) of the State Education Office Establishment Act of 2000,
2 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)) is
3 amended as follows:

4 (a) A new paragraph (8A) is added to read as follows:

5 “(8A) Prescribe standards for extended learning time beyond the regular
6 school day for public schools, including public charter schools;”.

7 (a) Paragraph (16) is amended by striking the word “and” at the end.

8 (b) Paragraph (17) is amended by striking the period at the end and inserting the
9 phrase “; and” in its place.

10 (c) A new paragraph (18) is added to read as follows:

11 “(18) Have the authority to issue grants, from funds under its
12 administration (including the non-public tuition paper agency), to local education
13 agencies (“LEAs”) for programs that increase the capacity of the LEA to provide special
14 education services.”.

15 Sec. 406. Applicability.

16 This subtitle shall apply as of October 1, 2010.

17 **SUBTITLE B. HEALTHY SCHOOLS ACT**

18 Sec. 411. Short title.

19 This subtitle may be cited as the “Healthy Schools Amendment Act of 2010”.

20 Sec. 412. Section 802(b) of the Healthy Schools Act of 2010, effective July 27,
21 2010 (D.C. Law 18-209; 57 DCR 4779), is revived.

22 **TITLE V. HEALTH AND HUMAN SERVICES**

SUBTITLE A. GRANDPARENTS CAREGIVER PROGRAM AND LONG-TERM PERMANENT GUARDIANSHIP SUBSIDIES

Sec. 501. Short title.

This subtitle may be cited as the “Grandparent Caregivers Program and Long-Term Permanent Guardianship Subsidies Amendment Act of 2010”.

Sec. 502. Section 104(b) of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.04(b)), is amended by striking the phrase “; provided, that the subsidy shall be within 5% (no less than 95% and no more than 105%) of the regular daily rate of the subsidy for a long term permanent Level 1 guardianship subsidy established under § 29-6103.3 of the District of Columbia Municipal Regulations”.

Sec. 503. Subsections 6103.2 and 6103.3 of section 6103 of chapter 61 of title 29 of the District of Columbia Municipal Regulations are amended to read as follows:

- “6103.2 The amount of the long-term permanent guardianship subsidy shall be:
- “(a) Based on the applicant’s federal adjusted gross income, as defined by the Internal Revenue Code of 1986 or any successor legislation;
- “(b) Based initially on an amount that is less than or equal to the foster care board and care payment received by the applicant for the child’s care at the time that the application is approved; and
- “(c) Following a review held pursuant to § 6105, based on an amount that is less than or equal to the foster care board and care payment that would be paid for the child’s care if the child were in foster care.
- “6103.3 The payment schedule for the long-term permanent guardianship subsidy shall be:
- “(a) Reviewed annually by the Agency; and

1 “(b) No greater than the annual foster care board and care payments for
2 that year.”.

3 Sec. 503. Applicability.

4 This subtitle shall apply as of January 1, 2011.

5 **SUBTITLE B. HOSPITAL ASSESSMENT**

6 Sec. 511. Short title.

7 This subtitle may be cited as the “Hospital Assessment Amendment Act of 2010”.

8 Sec. 512. Section 5014(a)(2) of the Hospital Assessment Act of 2010, effective
9 September 24, 2010 (D.C. Law 18-223; 57 DCR 6242) is amended by striking the phrase
10 “\$1,500” and inserting the phrase “\$2,000” in its place.

11 Sec. 513. Applicability.

12 This subtitle shall apply as of October 1, 2010.

13 **SUBTITLE C. TANF REGULATIONS**

14 Sec. 521. Short title.

15 This subtitle may be cited as the “District of Columbia Public Assistance
16 Amendment Act of 2010”.

17 Sec. 522. The District of Columbia Public Assistance Act of 1982, effective April
18 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

19 (a) A new section 205.11b is added to read as follows:

20 “Sec. 205.11b. Reduction in benefits for long-term TANF recipients.

21 “An individual who has received TANF benefits for more than 60 months in the
22 District of Columbia, whether or not consecutive, shall receive a maximum benefit of
23 80% of the applicable amount set forth in section 205.52(c).”.

1 (b) Section 205.52 (D.C. Official Code § 4-205.52) is amended by adding a new
2 subsection (c-2) to read as follows:

3 “(c-2) As set forth in section 205.11b, the level of public assistance payment for
4 assistance units subject to 205.11b shall be equal to 80% of the current payment level for
5 the assistance unit, established by subsection (d) of this section.”.

6 Sec. 523. Title 29 of the District of Columbia Municipal Regulations is amended
7 as follows:

8 (a) Section 7200 of chapter 72 is amended by adding new subsections 7200.3 and
9 7200.4 to read as follows:

10 7200.3 Pursuant to section 205.52 of the District of Columbia Public Assistance Act of
11 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.52),
12 a TANF recipient who has received benefits for more than 60 months (whether
13 or not continuous months) in the District of Columbia (“long-term recipients”),
14 shall be eligible to receive no more than the payment levels as set forth in
15 §7200.4.

16
17 7200.4 The payment levels set forth in this subsection shall apply to public assistance
18 payments made to long-term recipients after February 1, 2011.
19

Family Size	Standards of Assistance	Payment Level
1	\$450	\$216
2	\$560	\$269
3	\$712	\$342
4	\$870	\$418
5	\$1,002	\$482
6	\$1,178	\$566
7	\$1,352	\$650
8	\$1,494	\$718
9	\$1,642	\$790
10	\$1,786	\$858
11	\$1,884	\$905
12	\$2,024	\$973
13	\$2,116	\$1,017
14	\$2,232	\$1,072
15	\$2,316	\$1,113
16	\$2,432	\$1,169

17	\$2,668	\$1,282
18	\$2,730	\$1,311
19	\$2,786	\$1,338

1 (b) Subsection 5814.5 of chapter 58 is amended to read as follows:

2 5814.5 After application of these disregards in subsection 5814.4, the remaining
3 income shall be compared to the Standard of Assistance for a family unit.
4 The Standard of Assistance shall be defined as specified in the District of
5 Columbia Public Assistance Act of 1982, as amended. If less than the
6 Standard of Assistance, the income shall be compared to the payment
7 standard. The pay standard shall be defined as specified in the District of
8 Columbia Public Assistance Act of 1982, as amended. The payment
9 levels set forth in Chapter 72 of Title 29 DCMR shall apply to payments
10 made after February 1, 2011

11 Sec. 524. Applicability.

12 This subtitle shall apply as of February 1, 2011.

13 **SUBTITLE D. HEALTH PROFESSIONAL RECRUITMENT**

14 Sec. 531. Short title.

15 This subtitle may be cited as the “Health Professional Recruitment Program
16 Amendment Act of 2010”.

17 Sec. 532. The District of Columbia Health Professionals Recruitment Program
18 Act of 2005, effective March 8, 2006 (D.C. Law 16-71; D.C. Official Code § 7-751.01 *et*
19 *seq.*), is amended as follows:

20 (a) Section 12(a) (D.C. Official Code § 7-751.11(a)) is repealed.

21 (b) Section 14 (D.C. Official Code § 7-751.13(b)) is amended to read as follows:

22 “(b) Within 1 year of the date of a breach of contract, the participant found in
23 breach of contract shall repay the District the greater of \$31,000 or an amount equal to
24 the sum of the following:

25 “(1) The amount of the loan repayments paid to the participant for any
26 period of obligated service not completed;

1 “(2) An amount equal to the product of the number of months of obligated
2 service not completed by the participant multiplied by \$7,500; and

3 “(3) Interest on the amounts specified in paragraphs (1) and (2) at the
4 maximum legal prevailing rate, as determined by the Treasurer of the United States, from
5 the date of the breach.”.

6 (c) Section 16 (D.C. Official Code § 7-751.15) is amended as follows:

7 (1) The section heading is amended by striking the phrase “Suspension
8 and waiver of contract.” and inserting the phrase “Suspension, waiver, and termination of
9 contract.” in its place.

10 (2) Paragraph (b)(2) is repealed

11 (3) New subsections (c) and(d) are added to read as follows:

12 “(c) An obligation of an individual for service or payment of damages shall be
13 terminated upon the death of the individual.

14 “(d) The Director may terminate a contract under the Program with a participant
15 if, not later than August 16 of the year in which the contract became effective, the
16 participant:

17 “(1) Submits a signed written request to terminate the contract; and

18 “(2) Repays all amounts of loan repayments paid to the participant under
19 the contract.”.

20 **TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE**
21 **ENVIRONMENT**

22 **SUBTITLE A. STREETSCAPE FUND**

23 Sec. 601. Short title.

1 This subtitle may be cited as the “Streetscape Fund Amendment Act of 2010”.

2 Sec. 602. (a) The \$7 million transferred to the budget of the District Department
3 of the Transportation by section 7072(d)(6)(C) of the Capital Projects Modification Act
4 of 2010, September 24, 2010 (D.C. Law 18-223; 57 DCR 6389), are hereby transferred to
5 the unrestricted balance of the General Fund.

6 (b) The capital projects established by section 7072(d)(6)(A) and (B) of the
7 Capital Projects Modification Act of 2010, September 24, 2010 (D.C. Law 18-223; 57
8 DCR 6389), are rescinded.

9 **SUBTITLE B. SUSTAINABLE ENERGY TRUST FUND**

10 Sec. 611. Short title.

11 This subtitle may be cited as the “Clean and Affordable Energy Second
12 Amendment Act of 2010”.

13 Sec. 612. The Clean and Affordable Energy Amendment Act of 2008, effective
14 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.01 *et seq.*), is amended
15 as follows:

16 (a) The lead-in text of section 205(h) (D.C. Official Code § 8-1774.05(h)) is
17 amended by striking the phrase “\$1 million” and inserting the phrase “\$775,000” in its
18 place.

19 (b) Section 210(c) of the Clean and Affordable Energy Amendment Act of 2008,
20 effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)), is
21 amended to read as follows:

22 (1) Paragraph (2) is amended by striking the phrase “payments under the
23 contract” and inserting the phrase “authorized contract level” in its place.

1 (2) Paragraph (4) is amended by striking the phrase “\$13,000” and
2 inserting the phrase “\$9,880” in its place.

3 (3) Paragraph (5) is amended by striking the phrase “\$2.773 million” and
4 inserting the phrase “\$2.375 million” in its place.

5 (4) Paragraph (6) is amended by striking the phrase “\$1.5 million” and
6 inserting the phrase “\$1.073 million” in its place.

7 (5) Paragraph (7) is amended by striking the phrase “\$1.455 million” and
8 inserting the phrase “\$1.106 million” in its place.

9 (c) Section 211(c) (D.C. Official Code § 8-1774.11(c)), is amended to read as
10 follows:

11 “(c) The Energy Assistance Trust Fund shall be used solely to fund the existing
12 low-income programs in the amount of \$2.005 million in fiscal year 2011, and \$2.6
13 million annually thereafter.”.

14 Sec. 613. Applicability.

15 This subtitle shall apply as of October 1, 2010.

16 **TITLE VII. FINANCE AND REVENUE**

17 **SUBTITLE A. RECIPROCAL STATE-FEDERAL OFFSET PROGRAM**

18 Sec. 701. Short title.

19 This subtitle may be cited as the “Reciprocal State-Federal Setoff Act of 2010”.

20 Sec. 702. Chapter 1 of Title 47 of the D.C. Official Code is amended as follows:

21 (a) The table of contents is amended by adding a new section designation to read
22 as follows:

1 “47-140. United States Treasury offset program authorized; setoff of federal
2 debts.

3 (b) A new section 47-140 is added to read as follows:

4 “§ 47-140. United States Treasury offset program authorized; setoff of
5 federal debts.

6 “(a) For the purposes of this section, the term:

7 “(1) “Chief Financial Officer” means the Chief Financial Officer of the
8 District of Columbia, established pursuant to section 204.24a of the District of
9 Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official§ 1-
10 204.24(a)(1)).

11 “(2) “District of Columbia payment” means a payment by the District
12 of Columbia to a person, including tax refunds, vendor and contractor payments, and
13 expense reimbursements to an employee of the District of Columbia. The term
14 “District of Columbia payment” does not include salary, wages, or pension
15 payments.

16 “(3) “Federal official” means a unit or official of the federal
17 government charged with the collection of nontax liabilities payable to the federal
18 government and with the authority to enter into the offset agreement.

19 “(4) “Offset agreement” means an agreement authorized by this
20 section.

21 “(5) “Person” means an individual, vendor, contractor, partnership,
22 society, association, joint stock company, limited liability company, corporation,
23 estate, receiver, trustee, assignee, and any other person acting in a fiduciary or

1 representative capacity whether appointed by a court or otherwise, or a combination
2 of the foregoing.

3 “(b) The Mayor may enter into an agreement with the United States
4 Secretary of the Treasury to participate in the Treasury Offset Program. The offset
5 agreement may provide for the collection of any delinquent debt owed to the District
6 of Columbia from federal payments payable to the debtor. The offset agreement may
7 also provide for the United States to submit requests to the District for delinquent
8 nontax debts owed to federal agencies to be offset against District of Columbia
9 payments.

10 “(c) The Mayor may authorize the Chief Financial Officer to reduce a
11 District of Columbia payment by the amount of any federal nontax debt amount
12 requested by the United States to be offset by the District in accordance with the
13 offset agreement.

14 “(d) The offset agreement may provide for the United States or the District
15 to charge a fee for an offset implemented by either party and that the offset fee may
16 be deducted from amounts remitted to the District of Columbia by the federal
17 government. The amount of an offset fee charged by the United States shall be
18 added to the nontax debt amount owed the District by the debtor and shall be
19 considered an additional debt of the debtor, which shall be subject to offset. The
20 amount of an offset fee charged by the District shall be deposited in the General
21 Fund.

22 “(e) The offset agreement may provide that a federal official may:

1 “(1) Certify to the Mayor the existence of a delinquent nontax debt
2 owed by a person to the federal government by providing:
3 “(A) The full name of the person;
4 “(B) The social security number or federal tax identification
5 number of the person;
6 “(C) The amount of the delinquent nontax debt owed by the
7 person to the federal government; and
8 “(D) Any other information required pursuant to the
9 agreement; and
10 “(2) Request the Mayor to authorize the Chief Financial Officer
11 withhold a District of Columbia payment to which the person is otherwise entitled.
12 “(f) After receiving a certified offset request from a federal official, the
13 Mayor may (or shall, if required by the offset agreement):
14 “(1) Determine if a person for whom the offset request is received is
15 due a District of Columbia payment;
16 “(2) Authorize the Chief Financial Officer to withhold a District of
17 Columbia payment that is otherwise due to the person for whom an offset request
18 has been received;
19 “(3) Authorize the Chief Financial Officer to pay to the federal
20 official the lesser of:
21 “(A) The entire District of Columbia payment, less any offset
22 fee authorized by the offset agreement; or
23 “(B) The amount certified, less any offset fee authorized by

1 the agreement; and

2 “(4) Notify the person of the amount withheld.

3 “(g) The Mayor may:

4 “(1) Certify to a federal official a delinquent debt owed by a person to
5 the District by providing the federal official:

6 “(A) The name and address of the person and any other names
7 known to be used by the person;

8 “(B) The social security number or tax identification number
9 of the person;

10 “(C) The amount of the delinquent debt due the District of
11 Columbia by the person;

12 “(D) A statement that the debt is past due and legally enforceable
13 in the amount certified; and

14 “(E) Any other information required by the offset agreement;
15 and.

16 “(6) Request that the federal official withhold any federal payment to
17 which the person is otherwise entitled.”.

18 **SUBTITLE B. 800 KENILWORTH AVENUE NORTHEAST**
19 **REDEVELOPMENT PROJECT**

20 Sec. 711. Short title.

21 This subtitle may be cited as the “800 Kenilworth Avenue Northeast
22 Redevelopment Project Real Property Limited Tax Abatement Assistance Amendment
23 Act of 2010”.

1 Sec. 712. Section 3 of the 800 Kenilworth Avenue Northeast Redevelopment
2 Project Real Property Limited Tax Abatement Assistance Act of 2010, passed on second
3 reading on November 9, 2010 (Enrolled version of Bill 18-828), is repealed.

4 **SUBTITLE C. 2323 PENNSYLVANIA AVENUE SOUTHEAST**
5 **REDEVELOPMENT PROJECT**

6 Sec. 721. Short title.

7 This subtitle may be cited as the “2323 Pennsylvania Avenue Southeast
8 Redevelopment Project Real Property Tax Abatement Assistance Amendment Act of
9 2010”.

10 Sec. 722. Section 3 of the 2323 Pennsylvania Avenue Southeast Redevelopment
11 Project Real Property Tax Abatement Assistance Amendment Act of 2010, passed on
12 second reading on November 9, 2010 (Enrolled version of Bill 18-628), is repealed.

13 **SUBTITLE D. 4427 HAYES STREET, S.E., REDEVELOPMENT**
14 **PROJECT**

15 Sec. 731. Short title.

16 This subtitle may be cited as the “4427 Hayes Street, N.E., Real Property Tax
17 Abatement Act of 2010”.

18 Sec. 732. Chapter 46 of Title 47 of the District of Columbia Official Code is
19 amended as follows:

20 (a) The table of contents is amended by adding a new section designation to read
21 as follows:

22 “47- 4645. Abatement of real property taxes for 4427 Hayes Street, N.E.”

23 (b) A new section 47-4645 is added to read as follows:

1 “§ 47- 4645. Abatement of real property taxes for 4427 Hayes Street, N.E.

2 “(a) The real property described as Square 5129, Lot 120, and any improvements
3 thereon, shall be exempt from the tax imposed by chapter 8 of this title during tax years
4 2011, 2012, 2013, 2014, and 2015; provided, that the total tax exemption provided by this
5 section shall not exceed \$140,000.”.

6 **SUBTITLE E. RENOVATION PENALTY AMENDMENT**

7 Sec. 741. Short title.

8 This subtitle may be cited as the “Renovation Penalty Abatement Amendment Act
9 of 2010”.

10 Sec. 742. Section 3 of the Renovation Penalty Abatement Act of 2010, effective
11 October 15, 2010 (D.C. Law 18-235; 57 DCR 7518), is repealed.

12 **TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUND**
13 **TRANSFERS**

14 Sec. 801. Short title.

15 This title may be cited as the “Fiscal Year 2011 Transfer of Special Purpose
16 Funds Act of 2010”.

17 Sec. 802. (a) Notwithstanding any provision of law limiting the use of funds in
18 the accounts listed in the following chart, the Chief Financial Officer shall transfer from
19 the certified revenues deposited in those accounts, or from certified fund balances in
20 those accounts, to the unrestricted fund balance of the General Fund, and recognize as
21 revenue in the fiscal year specified, the dollar amounts specified in the chart:

Account Number	Account Name	FY 2011	FY 2012	FY 2013	FY 2014
Office of the Chief Financial Officer (AT0)					
0602	Payroll Service				

	Fees	\$8,440	\$8,440	\$8,440	\$8,440
0603	Service Contracts	\$12,443	\$12,443	\$12,443	\$12,443
0605	Dishonored Check Fees	\$35,392	\$35,392	\$35,392	\$35,392
Office of the Attorney General (CB0)					
0603	Child Support - TANF/AFDC Collections	\$447,000	\$447,000	\$447,000	\$447,000
0611	Consumer Protection Fund	\$26,000	\$26,000	\$26,000	\$26,000
0612	Antifraud Fund	\$10,000	\$10,000	\$10,000	\$10,000
Office of Contracting and Procurement (PO0)					
4010	Surplus Personal Property Sales	\$29,000	\$0	\$0	\$0
Office of the Tenant Advocate (CQ0)					
6005	Condominium Conversion	\$386,266	\$0	\$0	\$0
Department of Consumer and Regulatory Affairs (CR0)					
6006	Nuisance Abatement	\$101,711	\$101,711	\$101,711	\$101,711
6008	Real Estate Guarantee and Education Fund	\$108,467	\$108,467	\$108,467	\$108,467
6010	OPLA - Special Account	\$81,000	\$81,000	\$81,000	\$81,000
6013	Basic Business License Fund	\$62,056	\$62,056	\$62,056	\$62,056
6030	Green Building Fund	\$208,871	\$208,871	\$208,871	\$208,871
Office of Cable Television (CT0)					
0600	Cable Franchise Fees	\$287,814	\$0	\$0	\$0
Department of Housing and Community Development (DB0)					
0602	Home Purchase Assistance Program Repayment	\$14,224	\$14,224	\$14,224	\$14,224
0610	DHCD Unified Fund	\$29,557	\$29,557	\$29,557	\$29,557
Office of the Deputy Mayor for Economic Development (EB0)					
0011	Neighborhood Investment Fund	\$1,125,996	\$1,125,996	\$1,125,996	\$1,125,996
0609	Industrial Revenue Bond Program	\$70,800	\$70,800	\$70,800	\$70,800

0632	Economic Development Special Account	\$128,495	\$128,495	\$128,495	\$128,495
Alcoholic Beverage Regulation Administration (LQ0)					
6017	ABC - Import and Class License Fees	\$239,000	\$0	\$0	\$0
Department of Insurance, Securities, and Banking (SR0)					
2100	HMO Assessment	\$32,806	\$0	\$0	\$0
2200	Insurance Assessment	\$878,871	\$0	\$0	\$0
2600	Securities Registration Fees	\$344,639	\$0	\$0	\$0
2800	Captive Insurance	\$53,465	\$0	\$0	\$0
2900	Banking Trust Fund	\$89,045	\$0	\$0	\$0
Metropolitan Police Department (FA0)					
1660	Automated Traffic Enforcement	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000
Office of Unified Communications (UC0)					
1630	911 and 311 Assessments	\$3,326,000	\$472,000	\$472,000	\$472,000
District of Columbia Public Library (CE0)					
6110	Miscellaneous	\$60,000	\$0	\$0	\$0
Office of Public Education Facilities Modernization (GM0)					
0603	Lease Income	\$10,000	\$10,000	\$10,000	\$10,000
Department of Health (HC0)					
0612	Food Handlers Certification	\$17,000	\$17,000	\$17,000	\$17,000
0617	Office of Professional Licensing	\$4,000	\$4,000	\$4,000	\$4,000
0632	Pharmacy Protection	\$184,000	\$184,000	\$184,000	\$184,000
0633	Radiation Protection	\$9,000	\$9,000	\$9,000	\$9,000
0638	Animal Control Dog License Fees	\$10,000	\$10,000	\$10,000	\$10,000
0643	Board of Medicine	\$366,000	\$366,000	\$366,000	\$366,000
0649	Health Facility Fee	\$3,000	\$3,000	\$3,000	\$3,000

0661	ICF/MR Fees and Fines	\$6,000	\$6,000	\$6,000	\$6,000
0662	Civil Monetary Penalties	\$7,000	\$7,000	\$7,000	\$7,000
Department of Transportation (KA0)					
6900	DDOT Unified Fund	\$6,090,205	\$6,090,205	\$6,090,205	\$6,090,205
District Department of the Environment (KG0)					
0600	General Enforcement Fines and Fees	\$16,594	\$16,594	\$16,594	\$16,594
0607	Underground Storage Tank Fines and Fees	\$20,464	\$20,464	\$20,464	\$20,464
0609	LUST Trust Fund	\$9,600	\$9,600	\$9,600	\$9,600
0634	Soil Erosion/ Sediment Control	\$239,257	\$239,257	\$239,257	\$239,257
0645	Pesticide Product Registration	\$554,541	\$554,541	\$554,541	\$554,541
0646	Storm Water Fees	\$2,040	\$2,040	\$2,040	\$2,040
0648	Asbestos Certification and Abatement Fee	\$73,227	\$73,227	\$73,227	\$73,227
0662	Renewable Energy Development Fund	\$344,459	\$200,000	\$200,000	\$200,000
0664	Adjudication Hearings (Air Quality)	\$6,480	\$6,480	\$6,480	\$6,480
0665	Adjudication Hearings (Water Quality)	\$480	\$480	\$480	\$480
0667	Wetlands Fund	\$600	\$600	\$600	\$600
0668	Lead Poisoning Prevention Fund	\$9,600	\$9,600	\$9,600	\$9,600
0669	Lead Based Certification Fees	\$20,764	\$20,764	\$20,764	\$20,764
0674	Hazardous Generator Fees	\$22,041	\$22,041	\$22,041	\$22,041
6101	Stripperwell	\$7,254	\$7,254	\$7,254	\$7,254
6201	Economy II	\$29,661	\$29,661	\$29,661	\$29,661
6202	Residential Aid Discount	\$19,680	\$19,680	\$19,680	\$19,680

6203	Residential Essential Services	\$22,080	\$22,080	\$22,080	\$22,080
6204	WASA Utility Discount Program	\$28,800	\$28,800	\$28,800	\$28,800
6400	DC Municipal Aggregation Program	\$12,000	\$12,000	\$12,000	\$12,000
6700	Sustainable Energy Trust Fund	\$1,401,187	\$1,401,187	\$1,401,187	\$1,401,187
6800	Energy Assistance Trust Fund	\$635,974	\$635,974	\$635,974	\$635,974
Department of Motor Vehicles (KV0)					
6258	Motor Vehicle Inspection Station	\$424,000	\$424,000	\$424,000	\$424,000
Taxicab Commission (TC0)					
2200	Taxicab Assessment	\$20,529	\$20,529	\$20,529	\$20,529
Tobacco Fund					
n/a	Tobacco Fund	\$3,500,000	\$0	\$0	\$0

TITLE IX. CAPITAL PROJECT MODIFICATIONS

Sec. 901. Short title.

This subtitle may be cited as the “Capital Project Modifications Act of 2010”.

Sec. 902. Eleventh Street bridge funding.

(a) The fiscal year 2011 funding for capital project KA0-EW002 (East

Washington Street Traffic Relief), and the associated lifetime funding, is increased by

\$4,171,000 in paygo capital funds.

(b) In addition to the funds appropriated to capital project KA0-EW002 (East

Washington Street Traffic Relief) for the 11th Street Bridges project, the District

Department of Transportation may expend any funds that are paid to the District by third

parties to compensate the District for conducting work at the request of or for the benefit of such third parties associated with the construction of the 11th Street Bridges project

Sec. 903. Washington Metropolitan Area Transit Authority projects.

(a) The capital funding for capital projects KE0-SA202 (Metrobus) and KE0-SA301 (Metrorail Rehabilitation) shall be as follows:

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	6-Year Total
Project KE0-SA202 (Metrobus)	31,997,070	30,747,625	31,053,500	31,473,250	32,092,965	38,735,590	196,100,000
Project KE0-SA301 (Metrorail Rehabilitation)	33,916,070	33,366,625	34,072,500	34,892,250	36,011,965	28,954,590	201,214,000

(b) The funding by source and funding by phases of the 2 projects shall remain the same as set forth in Volume 6 of the FY 2011 Proposed Budget and Financial Plan submitted to the Congress of the United States by the Government of the District of Columbia on July 1, 2010.

TITLE X. FISCAL IMPACT AND EFFECTIVE DATE

Sec. 1001. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 1002. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in 602(c)(1) of the District of Columbia Home Rule

- 1 Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)),
- 2 and publication in the District of Columbia Register.